



**COLORADO**

**Division of Reclamation,  
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215  
Denver, CO 80203

July 8, 2016

Mr. Leonard Read  
Midway Aggregates, RLLP  
P.O. Box 580  
Rye, CO 81069

**Re: Midway Pit, Permit M-1988-018;  
Second Corrective Action Due Date Extension Approval**

Dear Mr. Read,

On July 1, 2016 the Division received your request for a 60 day extension to the Division's three corrective actions resulting from our Midway Pit inspection report sent mailed on November 13, 2015. The request explains the reason for extending the submittal date for the corrective action for Problem No. 2, but is lacking rationale for extending the due dates for Problem Nos. 1 and 3. As the due date was July 8, 2016 (today) for all three corrective actions, the Division will grant your request for a 60-day extension, but please provide rationale for the need to extend the corrective action due dates for Problem Nos. 1 and 3.

The corrective actions and due dates are summarized below:

**INSPECTION TOPIC:** Availability Of Records

**PROBLEM No. 1/POSSIBLE VIOLATION:** Problem: The current mine and reclamation plans, as well as the affected area mine and reclamation plan maps do not reflect the observed disturbances (i.e., affected area limits) and necessary reclamation (e.g., pond reclamation and seed mix).

**CORRECTIVE ACTIONS:** Within 60 days of this report the Operator must submit a Technical Revision (TR) to update the mining and reclamation plans, and the Mine Plan Map and Reclamation Plan Map.

**CORRECTIVE ACTION DUE DATE:** ~~5/9/16 7/8/2016~~ **9/6/2016**

**INSPECTION TOPIC:** Availability Of Records

**PROBLEM No. 2/POSSIBLE VIOLATION:** Problem: No utility structures agreement for the transmission powerline on the north side of the existing pit.

**CORRECTIVE ACTIONS:** Within 30 days of this report the Operator must submit a notarized letter or agreement in accordance with Rule 6.4.19 addressing the potential for damage to the powerline.

**CORRECTIVE ACTION DUE DATE:** ~~5/9/16 7/8/2016~~ **9/6/2016**

**INSPECTION TOPIC:** Financial Warranty

**PROBLEM No. 3/POSSIBLE VIOLATION:** Problem: The financial warranty is not adequate to reclaim the site in

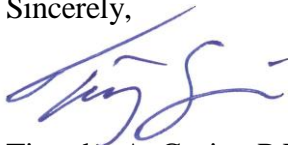


Mr. Leonard Read  
July 8, 2016  
Page 2

accordance with the approved reclamation plan. This is a failure to maintain the proper financial warranty amount to complete reclamation of the affected lands pursuant to C.R.S. 34-32.5-117(4)(b) of the Act.  
**CORRECTIVE ACTIONS:** The operator shall submit adequate financial warranty, as determined by the Division. The operator will have 60 days from the date on this report to post the additional financial warranty.  
**CORRECTIVE ACTION DUE DATE:** ~~5/9/16 7/8/2016~~ **9/6/2016**

If you have any questions, please contact me at (303) 866-3567, ext 8169.

Sincerely,



Timothy A. Cazier, P.E.  
Environmental Protection Specialist

cc: Wally Erickson, DRMS  
DRMS file

